Labor Trafficking FAQs

Do survivors have to be sexually exploited for it to be considered human trafficking?
No. Under the Victims of Trafficking and Violence Protection Act (TVPA) of 2000, the U.S. government explicitly states **labor trafficking is a severe form of human trafficking** in addition to sex trafficking.

If a survivor willingly took the job, does this mean they consented to being trafficked?
No. Regardless of any initial consent, survivors are still considered victims of trafficking if employers have used force, fraud, or coercion at any time to keep victims in an exploitative employment situation. Because **recruiters often lie about many of the details of the job** including wages, hours, and the nature of the work, workers often agree to a job that is very different from the one they find when they arrive at the work site.

Does a person have to be transported for it to be considered trafficking?
No, **trafficking doesn't require any movement**. Traffickers may use frequent transportation to disorient victims and strengthen their control. However, survivors do not have to cross any borders or to have been transported in any manner for the situation to be considered human trafficking.

Can you be a victim of labor trafficking even if you have a visa or are a U.S. citizen?
Yes. **Labor trafficking can affect everyone, regardless of immigration or citizenship status**. A 2014 study found that 71% of migrant labor trafficking victims had entered the United States on lawful visas and in June of 2018, a South Carolina restaurant owner plead guilty to trafficking a local man in his diner for several years.

What are some common industries where labor trafficking occurs?
Labor trafficking occurs most frequently in industries that require lots of unskilled manual labor and have worksites that are closed-off, concealed, or out-of-view from the general public. These include **agriculture, domestic work, landscaping services, construction, and restaurant/food service**.

Why don't survivors report their trafficker to law enforcement?
Some survivors may have negative prior experiences with the police and may not trust law enforcement. Other survivors may fear retaliation from their trafficker through violence against their person or even against their families. **Traffickers also use immigration status as leverage**, threatening deportation or destruction of key identification documents if workers report their trafficker.

By reporting abusive conditions, workers can get "blacklisted" or placed on a list barring them from future employment by the trafficker and other local employers. **"Blacklisting"** has been well documented in North Carolina, particularly within agriculture.

Why don't labor trafficking survivors just leave or find another job?
One common reason is that many workers, particularly migrant workers, get caught in an illegal scheme called **debt peonage**. Workers frequently arrive at the job site in debt from travel expenses and recruiting fees. Once there, traffickers will drive workers further into debt by making a laundry list of illegal deductions from the workers' wages, such as the cost of equipment or time spent not working because of bad weather.

The result is that workers are unable to pay little more than the interest on their debt or even see their debt increase. Caught in an unending cycle of working to pay off an ever-increasing debt, **many survivors stay not wanting to risk unemployment and falling deeper into debt.**

Will a survivor of human trafficking who is undocumented be deported if they go to the police?
Immigration relief is available for undocumented or out-of-status victims of human trafficking through the T and U visa programs. Both programs have qualifying criteria, a yearly cap on the number of recipients, and may require some level of cooperation with law enforcement. An immigration lawyer should be consulted as soon as possible to see if the survivor might qualify.

Interested in learning more?
Project CLICC, a project of the NC Council for Women & Youth Involvement, offers trainings, educational materials, and resource guides to community leaders and organizations.

To request a training, visit:
ncadmin.nc.gov/human-trafficking-trainings&speaker-form

or contact:

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For more information on human trafficking visit:
ncadmin.nc.gov/human-trafficking

NC DOA
Department of Administration
Council for Women & Youth Involvement

Sources: National Farm Worker Ministry, NPR, Polaris Project, Southern Poverty Law Center, Urban Institute